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JUN 26 2009
Washington State
Department of Ecology



STATE OF WASHINGTON APPLICATION TO ENTER A WATER RIGHT INTO THE TRUST WATER RIGHT PROGRAM

NOTE: THIS FORM IS **ONLY** TO BE USED FOR THE
ACQUISITION OF WATER INTO THE TRUST WATER RIGHT PROGRAM

(Check all that apply.)

- ☐ Lease
☒ Purchase
☐ Donation
☐ Other

Explain: Permanent Acquisition

☒ Portion of the identified existing water right

IF FOR SEASONAL OR TEMPORARY, START DATE / /
END DATE / /

FOR OFFICE USE ONLY

FILE NO. CG 2-21819 WRIA
DATE ACCEPTED 6/26/09 BY SC
FEE \$ REC'D / /
CHECK No.
SEPA: ☐ Exempt ☐ Not exempt

****IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS (PLEASE PRINT OR TYPE CLEARLY)****

1. Applicant Information:

APPLICANT/BUSINESS NAME Dan O'Neill, Representing Black River Ranch LLC.	PHONE NO. (360) 352-1388	FAX NO. ()
ADDRESS P.O. Box 4128		
CITY Tumwater	STATE WA	ZIP CODE 98501

CONTACT NAME (IF DIFFERENT FROM ABOVE) Aaron Penvose, Washington Rivers Conservancy	PHONE NO. (509) 888-0970	FAX NO. (509) 888-4352
ADDRESS 103 Palouse St. Suite #14		
CITY Wenatchee	STATE WA	ZIP CODE 98801

2. Water Right Information:

WATER RIGHT OR CLAIM NUMBER G 2-21819C	RECORDED NAME(S) Ted G. Devires d/b/a Black River Ranch
DO YOU OWN THE RIGHT? X YES NO IF NO, PROVIDE OWNER(S) NAME and ADDRESS:	
HAS THE WATER BEEN PUT TO BENEFICIAL USE IN THE LAST FIVE (5) YEARS? X YES <input type="checkbox"/> NO ARE WATER DIVERSIONS/WITHDRAWALS OF THIS WATER RIGHT METERED OR MEASURED? <input type="checkbox"/> YES X NO IMPORTANT! PROVIDE INFORMATION SHOWING THE EXTENT OF WATER USE FOR EACH OF THE LAST FIVE YEARS	

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WATER RIGHT NO. FILE (contract)
NO.

Please attach copies of any documentation that demonstrates consistent, historical use of water since the right was established. Also, if you have a water system plan or conservation plan, please include a copy with your application

3. How is Water to be Made Available for Trust?

<input type="checkbox"/> Alteration in method of diversion	<input type="checkbox"/> Alteration in water use/ irrigated acreage
<input type="checkbox"/> Alteration in method of delivery/conveyance	<input type="checkbox"/> Nonuse of one or more points of diversion
<input type="checkbox"/> Alteration in method of water application	<input checked="" type="checkbox"/> Nonuse of all or a portion of the named water right
<input type="checkbox"/> Alteration in type of crop	<input type="checkbox"/> Other, Explain below:
Name of funding source(s): Donation	

WATER RIGHT DESCRIPTION *

4. Point(s) of Diversion/Withdrawal:

A. Existing

SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
Wells				20 & 21	16N	3W		

Please include copies of all water well reports involved with this proposal. Also, if you know the distances from the nearest section corner to the above point(s) of diversion/withdrawal, please include that information in Item No. 6 (remarks) or as an attachment.

5. Purpose of Use:

A. Existing Use of the Water Right

PURPOSE OF USE	GPM or CFS	ACRE-FT/YR	PERIOD OF USE
Irrigation of 180 acres Corn and Pasture	1500	360	May 1 to October 1

B. Proposed Purpose of the Trust Water Right:

DESCRIBE THE PURPOSE(S) OF USE DURING THE PERIOD OF TRUST:	
PURPOSE OF USE	ACRE-FEET/YR
Instream Flow	280 AF/YR

6. Place of Use:

A. Existing:

LEGAL DESCRIPTION OF LANDS WHERE WATER IS PRESENTLY USED:							
That part of the E1/2, Sec. 20; and the W3/4, Sec. 21, T. 16N., R. 3 W.W.M., lying southerly of the Northern Pacific Railroad, north of the Black River and east of an unnamed stream situated in the W1/2SE1/4 of said Sec. 20; Less that part of the W.B. Newman D.L.C. No. 38 and E.E. Baker D.L.C. No. 40 lying within the N1/2NW1/4., Sec 21.							
¼	¼	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES
		20 & 21	16	3W	Thurston		180
DO YOU OWN ALL THE LANDS IN THE EXISTING PLACE OF USE? <input checked="" type="checkbox"/> YES NO – IF NO, PROVIDE OWNER(S) NAME:							

* If additional space is needed, please continue on the form: Attachment for Application to Enter a Water Right into the Trust Water Right Program.

6. Place of Use (continued)

B. Proposed:

IDENTIFY THE WATER BODY TO BE BENEFITED OR OTHER PLACE TO BE BENEFITED
Black and Chehalis Rivers

7. Remarks and Other Relevant Information:

This Trust Application seeks to effectuate a permanent acquisition of the water right to be used exclusively for fish maintenance and enhancement, recreational uses and preservation of environmental and aesthetic values as allowed under RCW Chapters 90.03, 90.42 and 90.58.

This acquisition has biological benefits and addresses limiting factors for fish species. Therefore, we request expedited processing under WAC 173-152-050(2)(b) and (3)(a).

Certain applications may incur a Real Estate Excise Tax liability for the seller of the water rights. The Department of Revenue has requested notification of potential taxable water right related actions and therefore may be provided with a copy of this request.

Please contact the State Department of Revenue for further information. The phone number is (360) 570-3265. The address is: Department of Revenue, Real Estate Excise Tax, PO Box 47477, Olympia, WA 98504-7477.

8. Signatures:

I certify that the information above is true and accurate to the best of my knowledge. I hereby grant staff from the Department of Ecology access to the above site(s) for inspection and monitoring purposes. If assisted in the preparation of the above application, I understand that all responsibility for the accuracy of the information rests with me.

Dan Conkell
(Applicant)

6 / 22 / 09
(Date)

Dan Conkell
(Water Right Holder)

6 / 22 / 09
(Date)

Dan Conkell
(Land Owner(s) of Existing Place of Use)

6 / 22 / 09
(Date)

IMPORTANT! APPLICATION FILING INFORMATION IS PROVIDED ON THE NEXT PAGE.

WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):

☐ ADDITIONAL SIGNATURES REQUIRED ☐ SECTION _____ IS INCOMPLETE

☐ OTHER/EXPLANATION: _____

STAFF: _____ DATE: ____ / ____ / ____